

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

RANDY LEE FULLER,

3:CV-09-6223-JE

Plaintiff,

O R D E R

V.

MICHAEL J. ASTRUE,
Commissioner of
Social Security Administration,

Defendant.

MARSH, Judge.

Magistrate Judge John Jelderks filed his Findings and Recommendation on June 1, 2011. The matter is now before me. See 28 U.S.C. §636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. See §636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-75 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Jelderks' Findings and Recommendation #22. The decision of the Commissioner is REVERSED. This action is REMANDED to the Agency for an award of benefits.

IT IS SO ORDERED.

DATED this 28 Day of June, 2011.

/s/ Malcolm F. Marsh
Malcolm F. Marsh
United States District Judge